



M O N T A N A
COALITION AGAINST
DOMESTIC AND SEXUAL
V I O L E N C E

TO: House Judiciary Committee
FROM: Kelsen Young, Executive Director
Montana Coalition Against Domestic and Sexual Violence
DATE: March 23, 2007
RE: SB 350 - Crime of tampering with or destroying communication equipment

Good morning, Madam Chair and members of the committee. My name is Kelsen Young and I am the Executive Director of the Montana Coalition Against Domestic and Sexual Violence. We are a membership-based organization consisting of domestic and sexual violence service providers and programs across the state of Montana. I am here to encourage you to pass SB 350.

SB 350 states that a person commits criminal destruction if he/she prohibits someone from using a communication device that would typically be capable of contacting law enforcement or medical personnel. This charge would apply if an offender rips a phone out of a wall and/or takes a victim's cell phone away. These tactics are not uncommon in domestic violence cases as control tactics used by offenders against their victims. It particularly heightens the sense of isolation for those victims living in rural, already isolated regions of Montana.

This bill also recognizes the value of emergency services as a tool to save lives and solve crimes by making it an offense to stop or prevent a victim of a crime from being able to call for emergency help and acknowledges that this is a real aspect of crimes committed. Although this bill is not specifically linked to a partner/family member assault charge, it will support survivors of domestic and sexual violence by recognizing the lethality of prohibiting communication with law enforcement or emergency services for victims.

SB 350 recognizes the value of a victim's right to call for help and has the ability to deter this type of criminal behavior by creating consequences for this crime. At least 17 other states have enacted similar legislation to protect their citizens' abilities to call for help. This crime is not covered by another criminal statute and is therefore important to not only victims of domestic violence, but all victims of crime.

Our members across the state have expressed that this legislation is one of their top priorities for this session and we ask you to please support SB 350 and pass it out of committee. Thank you for your time.

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